

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Oct 29, 2021**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Marnicus Antonio Lockhard Case Number: 0980 2:08CR06048-LRS-1

Address of Offender: Richland, Washington 99352

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: March 3, 2009

Original Offense: Felon in Possession of Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 82 months Type of Supervision: Supervised Release
TSR - 36 months

Asst. U.S. Attorney: Thomas J. Hanlon Date Supervision Commenced: January 2, 2020

Defense Attorney: Federal Defenders Office Date Supervision Expires: January 1, 2023

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 5/26/2020.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
2	<u>Mandatory Condition # 2:</u> The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Mr. Lockhard is considered to be in violation of his conditions of supervised release by pleading guilty and being convicted of third degree assault, Benton County Superior Court case number 20-1-00584-03, on October 25, 2021.

Mr. Lockhard commenced supervised release on January 2, 2020. His conditions were reviewed and signed by him on January 6, 2020. By signing his conditions form, he indicated an understanding of mandatory condition number 2, as noted above.

The undersigned officer was notified on May 21, 2020, that Mr. Lockhard was arrested by the Kennewick Police Department and booked into the Benton County Jail on a 72-hour hold for the charge of third degree rape. Police reports were requested and received on May 26, 2020.

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According to police reports, the victim reported that Mr. Lockhard had non-consensual sexual intercourse with her at his rented room at the Motel 6 in Kennewick, Washington, on or about May 15, 2020. The victim explained she was with Mr. Lockhard at his room at the Motel 6 in Kennewick, Washington. Mr. Lockhard continually asked the victim to have sex, to which she replied no as the victim stated she did not know Mr. Lockhard well enough and was not comfortable with that. The victim reported that Mr. Lockhard started to pull her clothes off and she told him again to stop. Mr. Lockhard continued to undress her until she was fully nude and then had sex with her. The victim stated she just shut down from the situation and laid there until it was over.

The victim reported she heard Mr. Lockhard's voice outside of her residence on May 16, 2020. Hearing his voice outside her residence triggered her to call the police. The victim provided the police with the clothes and underwear she was wearing the night of the rape and they were taken into evidence. The victim also consented to a sexual assault kit on May 17, 2020, at Trios Hospital. The results from the sexual assault kit indicated the victim had bruising and a tear on her vaginal area, a small clitoral abrasion with bleeding as bright red and scant.

Mr. Lockhard was sentenced to 17 months confinement on October 25, 2021. On this same date, his state sentence was completed and he was remanded into Federal custody. He is currently incarcerated at the Benton County Jail.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 10/28/2021

s/Daniel M. Manning

Daniel M. Manning
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

October 29, 2021

Date